

(Ireland.)

A

B I L L

For extending to Ireland an Act passed in the last Session of Parliament, intituled, "An Act for better securing Trust Funds, and for the Relief of Trustees."

[Note.—The Words printed in *Italics* are proposed to be inserted in the Committee.]

WH^{EREAS} an Act was passed in the last Session of Parliament, intituled, "An Act for better securing Trust Funds, and for the Relief of Trustees;" and it is expedient to extend certain of the provisions of the said Act to Ireland; *BE it Enacted*, by The QUEEN's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT all Trustees, Executors, Administrators or other persons, having in their hands any monies belonging to any Trust whatsoever, or the major part of them, shall be at liberty, on filing an affidavit shortly describing the instrument creating the Trust, according to the best of their knowledge and belief, to pay the same, with the privity of the Accountant-General of the High Court of Chancery, or of the Accountant-General of the Court of Exchequer, in Ireland, into the Bank of Ireland, to the account of such Accountant-General in the matter of the particular Trust (describing the same by the names of the parties, as accurately as may be, for the purpose of distinguishing it), in trust to attend the orders of the said Courts respectively; and that all Trustees or other persons having any annuities or stocks standing in their name in the books of the Governor and Company of the Bank of Ireland, or of any Canal Company in Ireland, or any Government or Parliamentary Securities standing in their names, or

Preamble.

1.
Trustees may pay Trust, Monies or transfer Stocks and Securities into the Court of Chancery or Exchequer in Ireland.

in the names of any deceased persons of whom they shall be personal representatives, upon any Trusts whatsoever, or the major part of them, shall be at liberty to transfer or deposit such stocks or securities into or in the name of the said Accountant-general, with his privity, in the matter of the particular Trust (describing the same as aforesaid), in trust to attend the orders of the said courts respectively; and in every such case the receipt of One of the Cashiers of the said Bank for the money so paid, or, in the case of stocks or securities, the certificate of the proper officer, of the transfer or deposit of such stocks or securities, shall be a sufficient discharge to such Trustees or other persons for the money so paid, or the stocks or securities so transferred or deposited.

Receipt of Bank Cashier, or Certificate of proper officer, to be sufficient discharge.

2.
Courts of Chancery or Exchequer to make Orders on Petition, without Bill, for application of Trust Monies and Administration of Trust.

And be it Enacted, That such orders as shall seem fit shall be from time to time made by the said Court of Chancery or Court of Exchequer in respect of the trust monies, stocks, or securities so paid in, transferred and deposited as aforesaid, and for the investment and payment of any such monies, or of any dividends or interest on any such stocks or securities, and for the transfer and delivery out of any such stocks and securities, and for the administration of any such Trusts generally, upon a petition to be presented in a summary way, without Bill, by such party or parties as to the Court shall appear to be competent and necessary in that behalf, and service of such petition shall be made upon such person or persons as the Court shall see fit and direct; and every order made upon any such petition shall have the same authority and effect, and shall be enforced and subject to rehearing and appeal, in the same manner as if the same had been made in a suit regularly instituted in the Court; and if it shall appear that any such Trust Funds cannot be safely distributed without the institution of one or more suit or suits, the Lord Chancellor or Master of the Rolls, or the said Court of Exchequer, may direct any such suit or suits to be instituted.

3.
Lord Chancellor, with Master of the Rolls, or the Court of Exchequer, may make General Orders.

And be it Enacted, That the Lord Chancellor, with the assistance of the Master of the Rolls, shall have power and is hereby authorized to make such orders as from time to time shall seem necessary for better carrying the provisions of this Act into effect; and the said Court of Exchequer shall have the like power and authority in respect to payments, transfers or deposits made to or with the Accountant-General of that Court.

4.
Usher's Pounds.

And be it Enacted, That no money so paid into the Bank of Ireland, to the credit of the Accountant-General of the Court of Chancery, or paid out under any order made under this Act by the Lord Chancellor or Master of the Rolls, shall be liable to Usher's poundage.

And

And be it Enacted, That every affidavit to be made on the occasion of any payment of money, or transfer or deposit of stocks or securities under this Act, by any personal representative, shall state that the legacy duty, if any payable thereon, has been duly paid.

5.
Legacy Duty.

- 5 And be it Enacted, That in the construction of this Act the expression "the Lord Chancellor" shall mean and include the Lord Chancellor, Lord Keeper, and Lords Commissioners for the Custody of the Great Seal of Ireland for the time being.

6.
Construction
of Expression
" Lord Chan-
cellor."

And be it Enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

7.
Act may be
amended, &c.